

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53754 of 2025

Arising Out of PS. Case No.-129 Year-2024 Thana- NOKHA District- Rohtas

Ritesh Kumar Singh @ Banti S/O Parashuram Singh R/O Vill.- Tenduni, P.S.-
Karahnagar, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-08-2025 Heard Mr. Manoj Kumar Singh, learned counsel for
the petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Nokha
P.S. Case No. 129 of 2024, instituted for the offences punishable
under Sections 8, 20(B)(ii)(C) and 22(C) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of total 42.935 Kg of Ganja from two motorcycles out
of which 21.564 Kg of Ganja was recovered from the
motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner has got no concern with the alleged recovery of Ganja. It is further submitted that the petitioner is not the owner of motorcycle in question rather co-accused, namely, Mrityunjay Pandey is the owner of the motorcycle. The petitioner is in custody since 13.04.2024 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act and the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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